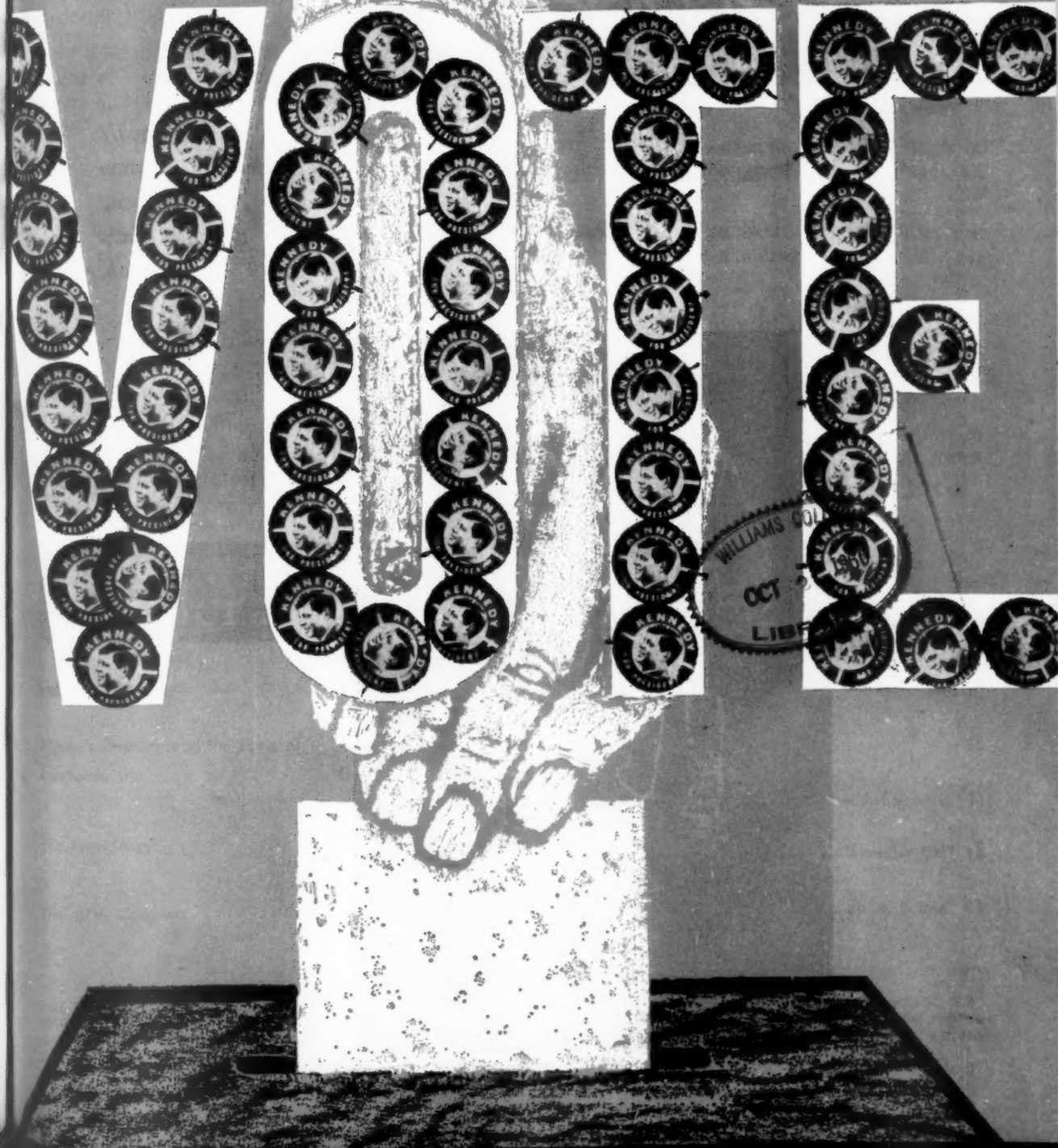


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The American Federationist

OCTOBER 1960



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This issue of the Federationist is devoted to a presidential election campaign that will determine America's future. It is an election campaign in which the AFL-CIO has taken a definite position in support of Senators John F. Kennedy and Lyndon B. Johnson. This issue takes a long look at some of the factors underlying that support.

In an editorial on Page 1, Pres. George Meany starts it off with a thoughtful discussion of the vast difference between the allegations of Republican campaign orators—with special reference to Vice President Nixon—and the sometimes hard facts of economic life in this country.

On Page 3 is an analysis of the candidates themselves—their backgrounds, their records, their thinking, their philosophies and their characters—the information a voter should have in order to make up his mind.

The fight for control of the 87th Congress, not from the traditional Democratic-Republican point of view but from the more meaningful liberal-conservative stand, is studied in detail on Page 8, along with a look at a few of the more significant gubernatorial contests.

The basic issue in the election is economic growth. The status of some of the elements in our economy, where they were and where they are headed, is depicted graphically on Pages 12 and 13.

Why the 86th Congress failed to live up to the high hopes organized labor held after the 1958 election and instead resulted in "two years of frustration" is examined in an article on Page 14.

The regulatory agencies with their great power over the daily lives of all of us have fallen on evil days and more often than not no longer protect the public interest as they are supposed to do. An article on Page 16 shows that this is one of a Republican Administration's typical failures to administer.

The so-called "right-to-work" law is one of the labor issues that is playing a major part in the campaign. An account of conservative efforts to foist it on the workers in several states and of labor-liberal opposition is given on Page 21.

The American Federationist

Official Monthly Magazine of the American Federation of Labor and Congress of Industrial Organizations

GEORGE MEANY, *Editor*

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Nixon's Oratory and the Facts of Economic Life

It is already clear that the Republican campaign, especially with regard to domestic affairs, is based on the proposition that "you never had it so good."

Unfortunately, the facts of life do not support the oratory of the Republican spokesmen.

For example, in the course of the first television debate between the candidates, Vice President Nixon claimed that the policies of the present Administration—which he proposes to continue—have "resulted in the greatest expansion of the private sector of the economy that has ever been witnessed in an eight-year period."

What does the Vice President mean by that claim? Is he referring to greater profits for corporations or higher dividends for stockholders? Is he talking about expanded productive capacity—much of which today stands idle?

He certainly can't be talking about the jobs—real jobs. The fact is that there are 500,000 fewer full-time jobs in America than there were three years ago. And the decline has been even greater in the "private sector" of our economy.

Since 1953, our labor force has increased by 5.5 million. But fewer manhours of work are provided by the "private sector" of the economy today than it provided seven years ago. We have lost more than 2 million jobs in manufacturing, mining and the railroads. If it hadn't been for an increase in public employment, we'd have even more joblessness than we have now.

Is this "expansion"—or is it decay?

Under the policies of the present Administration, our economy has been unable to absorb the steady growth in the nation's work-force. These policies have failed to find jobs for 820,000 new workers a year. How can we expect these policies to put 1,350,000 more people to work every year—and that's the annual expanding size of the American work force for the next 10 years. These policies court catastrophe.

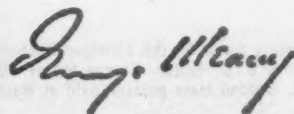
The post-war "population explosion" will really hit our work-force in the next decade. By 1970 there will be 87 million Americans able and willing to work.

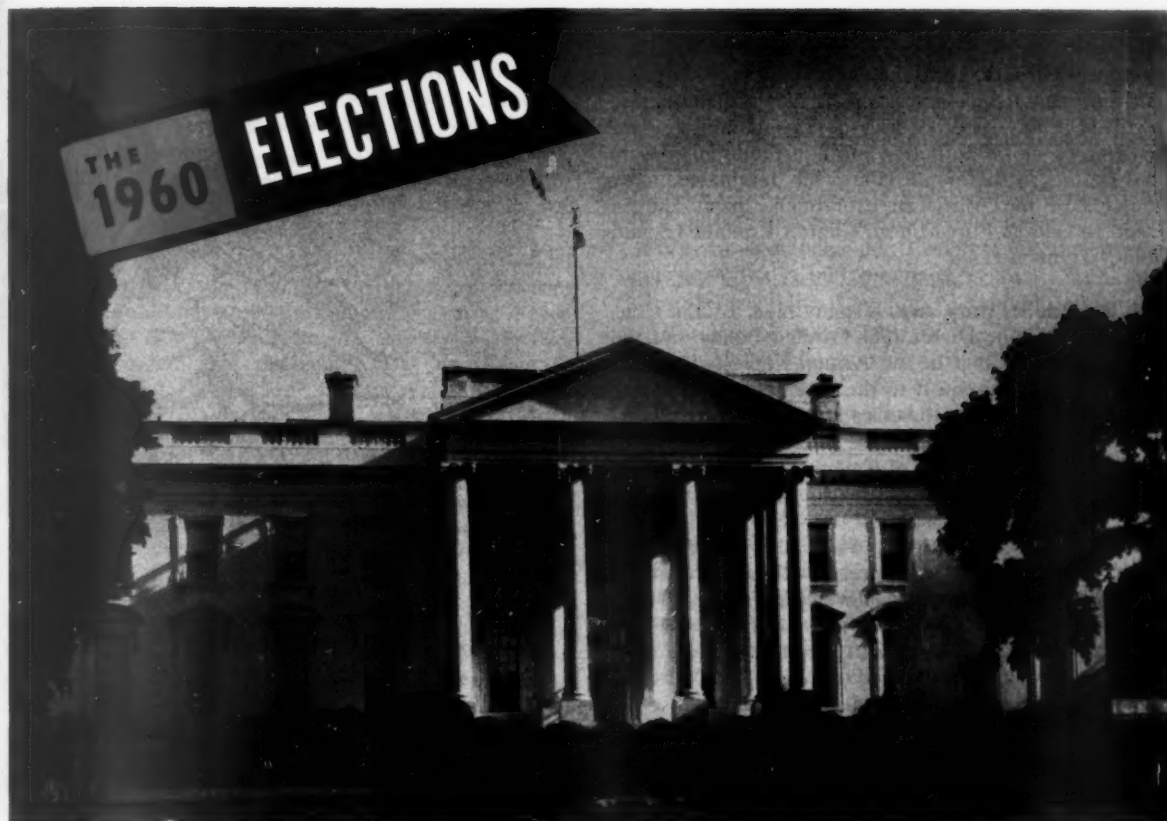
This means we must create 25,000 new jobs every week for 10 years just to keep pace with this growth—and without allowing for the job shrinkage caused by automation and technological change.

Since the policies praised by the Vice President have failed to meet the relatively modest work-force increase since 1953, how could they hope to cope with the future? The present is bad enough.

What this country needs "to have it good" is prosperity in fact, not fiction; prosperity and full employment brought about through healthy economic growth.

It seems to be quite evident that Vice President Nixon is unaware of the real menace to America's economic health—widespread serious unemployment now, with more to come.





THE PRESIDENCY

by Willard Shelton

A few weeks before the presidential election, the two bold young men who reached for and got their party nominations began at last to come to grips with each other in the campaign. John Fitzgerald Kennedy and Richard Milhous Nixon share one thing in common: Each knows the nature of the prize for which he is contending, an executive office of such scope and power that, although the power must be wielded by persuasion, its possessor may use it to energize our whole public life and to invigorate the contribution of the United States before the world.

Yet there was a difference, clear and unmistakable, between the early approach of the two contenders. Senator Kennedy was on the attack, promising

changes, promising to use the full powers of the presidential office as they have not been used for the past eight years, pledging an affirmative strengthening of policies abroad and a revival of the concept that the federal government can both initiate and inspire great new programs for the public welfare.

There were signs that Mr. Nixon—usually so brutal and slashing in assault on his rivals, so subtle in conveying a theme of opprobrium by innuendo—was laboring under the consciousness of untoward if not unexpected burdens. It is the presidency itself for which he is running—and although he may repeatedly call Senator Kennedy “naive,” the word seems weak from the lips of one who so glibly labeled Adlai Stevenson in 1952 as a candidate holding “a Ph. D. from (Secretary Dean) Acheson’s college of cowardly Communist containment—the State Department.”

WILLARD SHELTON, managing editor of the *AFL-CIO News*, has covered presidential election campaigns since 1940.

To run for the presidency as a serious contender is an experience that comes to few Americans, and the responsibilities of both the office and the campaign are different in quality as well as degree from those involved in any lesser elective post. The unique combination of moral authority and constitutional powers that centers in the White House has fascinated many students of the American experiment, from Harold Laski to George Fort Milton, Clinton Rossiter III and Sidney Hyman.

The President, they say, is many men. By the Constitution he is the Director of Foreign Policy and the Commander-in-Chief of the Armed Forces. He shall from time to time report to the Congress on the State of the Union, and he possesses a veto power over legislation that may be, however, overridden by a two-thirds vote of each house of Congress. But he is more, much more, than the sum of the literal powers awarded by the Founding Fathers.

The party system, which the Fathers feared and hoped could be avoided, spread with an irresistible force that reflected both the developing reality of our democracy and the reality of the clash between the haves and have-nots of the early republic—those who possessed property and those who hungered after a competence; those who owed money and those to whom money was owed; those who clamored for free land and those who grew rich or went broke in speculation in land; the employing class that could vote and the city artisans who even in the earliest times tried collective action for a redress of grievances and soon demanded and got the franchise.

The party system, in the fullness of time, produced the party nominating conventions for the selection of presidential candidates, and it played a part in the enlargement and elaboration of the presidential function. The President must be the Party Leader—the acknowledged commander of his own party's member-



ship in Congress, although he must also be sufficiently aloof from naked partisanship and a spoils-system concept to invoke broad support when the country's needs demand it.

He is the preeminent National Educator, for against the great backdrop of the White House he can obtain unparalleled attention for the affirmative exposition of his views of political events and of the issues that stir men's minds and emotions. As Educator, he can appeal to the people over the heads of Congress, as Franklin D. Roosevelt demonstrated again and again.

He is also the Prime Initiator of Legislation, no longer confined merely to a veto power over what is initiated by a coordinate branch, the Congress. The State of the Union message of each January, the Budget Message and Economic Report are now expected to contain programs that are the executive programs. The institution of government has grown so complex and large that centralized budget control is essential, and the Bureau of the Budget is exclusively an arm of the White House. Not even a Cabinet member can ask Congress to provide for a new program or service that has not received prior Budget Bureau approval of expenditures, and a bill graced with the simple phrase "backed by the Administration" has a potency that may have little to do with its merits relative to other bills on the subject.

In ordinary times, Mr. Nixon might feel little discomfort in reaching for the presidency, and indeed he may feel no discomfort in the present times. But he must have thought long and deeply about the nature of the office and of his own place in history. No one doubts his comprehension of the latent powers and influence of the American President: he is a political being whereas Mr. Eisenhower came lately to the business and neither comprehended it nor desired to. But Mr. Nixon seeks preferment at a time of the breaking of nations and empires, when the world is in

ferment—and he seeks it as heir of a party that for half a century has tried to sit on the lid of human history and of a Chief Executive who for eight years has put a budgetary ceiling on every aspect of government. It may very well have been the wraps under which he was compelled to function that kept the Vice President, at least for more than a month of the campaign, at almost a Tom Dewey-ish level of remoteness.

Does Mr. Nixon think that our shortage of school classrooms and the low level of teachers' salaries presents a national problem? If he does, he must face the fact that Mr. Eisenhower sold down the river every proposed federal aid program except assistance to school districts "impacted" by federal government concentrations of workers—and tried to get rid of that.

Mr. Nixon is a highly intelligent man, and he can read the census figures to discover that two-thirds of our people now live in cities and that many of our most serious domestic problems are urban rather than rural—choked transportation, slums, dirt, water pollution, overburdened local tax systems. Can he produce a bold new program for dealing with these issues? He cannot without repudiating everything in his own voting record, and in the voting record of the Republican Party as a whole, and in the recommendations of the Eisenhower Administration.

The Republican record is hostile to federal assistance to cities for slum clearance and public housing. Mr. Nixon voted to limit the programs, the GOP has voted to kill them, the President has tried to

slash them. The President has repeatedly asked a reduction in the proportion of federal money to finance urban redevelopment.

Mr. Eisenhower once committed what apparently he came to think was a mistake: He allowed the beginning of federal loans for sewage systems and water purification, a national problem arising from nationally polluted streams. Promptly he began a counter-attack; he demanded that Congress cut the program, and he vetoed a bill to expand it. Mr. Nixon suffers obvious disabilities if he thinks he should talk about it.

The Vice President toward the end of September brought forth the principles of a farm program designed to "consume" the surplus, partly by treating food in storage as an asset rather than as a burden, partly by channeling it to undernourished human beings at home and abroad. Mr. Nixon was not recorded on such proposals previously, but his party was. In 1959, 21 out of 33 Republican senators voted against grants of surplus foods to establish reserves in underdeveloped nations. In 1957 and 1959, the Administration opposed a proposal to set up national reserves of food near population centers in this country. In 1959, Congress passed a bill authorizing a food-stamp plan to get surplus commodities and hungry people together, but Secretary of Agriculture Benson refused to put it into effect. A 1959 amendment to expand direct distribution of surplus food was beaten by the votes of 30 of 32 Republican senators.

One may run the record in almost any domestic issue and Mr. Nixon is in trouble and he knows it. He went to the Northwest, which is hungry for public power, and he was able merely to suggest "the time had come" for some unspecified "new starts" in power and reclamation projects, and to add a deprecatory word that it really didn't make much sense to let the argument of public-versus-private power continue. But in fact his party and his President have made that argument the primary one. Mr. Eisenhower with Republican support allowed the Dixon-Yates conspiracy to scuttle the Tennessee Valley Authority; Mr. Eisenhower with party support fought against and defeated the Hell's Canyon project; Mr. Eisenhower with party support maintained for years a "no new starts" limitation.

We vote for the party as well as the candidate, in a national election, and Mr. Nixon is now suffering from the party record. This explains why he has been able to develop no domestic program, of noteworthy sweep, about which to talk during the campaign. He may be correct in estimating that foreign policy, and foreign policy alone, is the issue on which the election will hinge. It may also be that he is forced to "run" against Mr. Khrushchev because there is really nothing he can say on domestic affairs that he believes will attract the voters.

Senator Kennedy suffers no such inhibitions. When he talks about "new starts" on reclamation projects and multipurpose federal dams, he does so on the





basis of a Democratic record that reflects more than a quarter of a century of public-power support.

When he pledges new federal programs for slum clearance and urban redevelopment, he is in harmony with Democratic majorities that have backed such projects and kept them alive. When he pledges a new initiative on federal school construction, hospitals and medical research, the voting record of Democrats sustains the pledge; there is the assumption that he can deliver.

When he talks about food reserves abroad, built from our surpluses used as an asset, he does it on the basis of bills filed by Democratic Senators Symington and Humphrey, both of whom are party leaders of sufficient stature to have been presidential contenders. When he speaks of a wider distribution of surplus food for the undernourished in our country, he does it on the basis of a bill he sponsored himself.

When he talks about minimum wages, he does so as sponsor of the Senate bill to raise the minimum to \$1.25 an hour and expand coverage to 5 million additional workers. Republicans in the House worked the ancient trick of getting a southern Democratic conservative to co-sponsor a weak substitute for the House bill—a trick freely acknowledged as “useful” in the memoirs of the former Republican House Speaker, Joseph W. Martin—and then delivered a massive GOP vote to kill the better bill by approving the substitute.

It is conceded that the Vice President recognizes the weakness of the Republican Party as an instrument; it became apparent late in September that he was seeking to model himself almost in the image of Eisenhower, projecting himself as an earnest, tolerant, non-controversial figure speaking with sweet reasonableness about how he “knows” Mr. Khrushchev, and how you cannot “appease” or “apologize” to the Kremlin, and implying that he is better equipped than

the “naive” Senator Kennedy to handle the foreign relations of his country.

In the midst of this, he also began wrapping the mantle of patriotism about himself by charging that Senator Kennedy was “damaging” American “prestige” by promising stronger defense forces, pledging new departures in foreign policy. Let us stop this trivial bickering, he said, for the weeks Khrushchev was in the United States for the General Assembly of the United Nations.

It was not clear how our “prestige” would be damaged if we had decisive enough leadership and strong enough defenses to make Khrushchev feel unsafe hereafter in threatening us with “rockets” unless we give him free rein in Castro’s Cuba, 90 miles off the Florida coast. But Mr. Vice President is an old expert in the patriotism game, managing always to suggest that somehow his opponents are less faithful and devoted citizens than he. Those who have seen the savagely critical satirist, Mort Sahl, in his Nixon act, say that Sahl paints a devastating picture of the family at home, the Vice President boning up patiently on the Constitution while his wife Pat knits an American flag. One might assume that Checkers, the patriotic cocker spaniel, is holding the yarn.

The reaction to the Vice President’s calm proposal that Kennedy halt his election campaign out of deference to the Soviets was so savage that by week’s end Mr. Nixon’s people were saying he didn’t mean it. The commentators of press, radio and television heaped ridicule on the idea, and Kennedy responded with a fierceness that suggested he would welcome more extensive personal combat:

Ahead lay the final weeks—the weeks in which millions of voters make up their minds. Ahead lay the period of increasingly electric tension as the public realizes that the time of decision is near, the ballot

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There were factors that made the final outcome still unpredictable, and among them was the force of the so-called "Catholic issue" that sent a flood of hate-and-fear leaflets across the land, with heavy concentrations in the South and the Midwest. The clergy who lent their names to this assault are often not merely anti-Catholic but also the same who have peddled the line that the more liberal Protestant clergy affiliated with the respected National Council of Churches of Christ are rotten-infiltrated with Communists. Almost certainly most of the campaign was bankrolled by conservative businessmen of the type who in other elections have financed slanderous pamphlets on union officials; businessmen whose real fear is not of Kennedy's religious faith but of Kennedy as a liberal Democrat running on a liberal program.

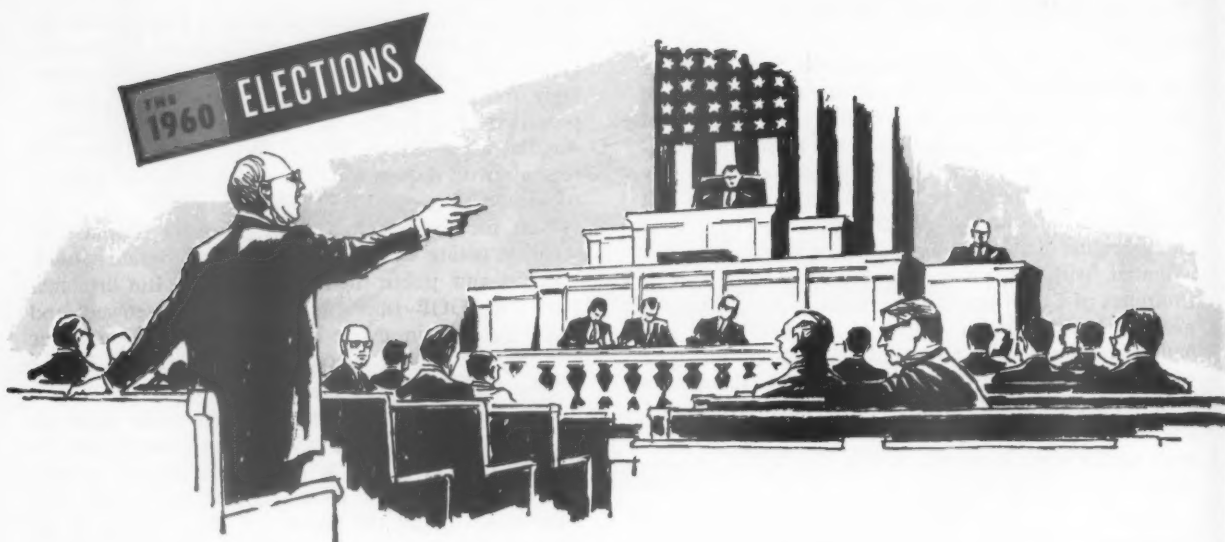
It was not yet clear how effectively the Vice President could work the sleight-of-hand trick of modifying his identification as a highly partisan—and conservative—Republican. The Democrats had not made full use of the incontrovertible fact that the Eisenhower-

Nixon years have seen the decline in Congress of the Republican liberal wing and new triumphs for the Old Guard. Mr. Eisenhower turned out to be, bewilderingly, more conservative than the late Senator Taft—presumably because as a non-political being he simply was less capable than Taft of tempering an instinctive reaction with respect for facts and different viewpoints submitted.

Taft for years had a solid group of Republican senators voting with him to support moderate school, housing and public health programs. But in eight years the GOP liberal wing has been cowed and dispersed and in every showdown Mr. Eisenhower and the Vice President either stood aloof and let the Old Guard win, or actively connived in its operations.

And in the end the question might come down to which man the majority of the voters would trust to use the powers of the White House, its full powers and not just part of them, soberly and wisely but vigorously, to get the nation off dead center in its domestic political affairs, to reclaim the only kind of "prestige" that counts in foreign affairs—the prestige that flows naturally from respect for strong leadership that commands support both from the people and from within Congress.





THE 87TH CONGRESS

by Gene Zack

Control of the 87th Congress—not in the classical terms of Democratic vs. Republican but in the meaningful sense of liberal vs. conservative—is an integral part of the presidential campaign.

The election of John F. Kennedy and Lyndon B. Johnson will go a long way toward nullifying the powers wielded by the conservative Republican-southern Democratic coalition which has dominated the national legislative scene for the past 23 years.

The restoration to the liberal elements of the Democratic party of the executive branch of government, coupled with a liberal Congress, could result in new progress along the broad front of social legislation—health care, minimum wage, civil rights, unemployment compensation, aid to education, housing and labor—as well as in the critical areas of international affairs, adequate defense and foreign aid.

But to put the right-wing coalition completely to rout, what is needed is for liberals to win some seven Senate seats and about 30 of the 49 marginally-won House seats now occupied by conservatives of both parties, while at the same time retaining all of the liberal-held seats won by small margins in 1958.

With liberals in firm control of the Senate, for example, meaningful changes are possible in the still-archaic Rule 22, which spells out the procedure for closing off debate. Even with the modifications ap-

proved in 1959, in practice it still takes the votes of 67 senators to end filibusters.

Liberal control of the House would force a change in that body's rules, too. As things now stand, the powerful House Rules Committee, sitting astride the pipelines through which legislation moves from committee to the floor, effectively seals off liberal legislation.

Nowhere within the complex structure of Congress is the power of the coalition more in evidence, for here two southern Democrats and four conservative Republicans—a handful of willful men—can thwart the wishes of the majority.

Liberal control of the House could sound the death-knell for this arch-conservative bloc by stripping from the Rules Committee its extreme powers.

A liberal 87th Congress will be needed for more than just merely modernizing the rules of both House and Senate, for the coalition has made its 19th Century conservatism felt on the floor as well as in committee.

In this cynical coalition, Republicans have traded off their votes on the burning issue of civil rights, for example, joining with southern Democrats to water down the voting-rights measures passed in 1957 and 1960. The right-wing Republicans have been well-paid for their soft-pedaling of civil rights, for in the deal they picked up Dixiecrat support for punitive anti-labor legislation, and Dixiecrat opposition to measures designed to provide medical care to the aged, aid to depressed areas, an improved wage-hour law

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and a whole range of measures that would have lifted the nation out of its present economic stagnation.

Inevitably linked with the crucial battle by liberals for control of Congress in the 1960 election will be the campaigns by liberals to retain gubernatorial posts they now hold and to wrest other governorships from the hands of the conservatives.

Additionally, control of many of the 50 governors' mansions this year will have a special impact on the composition of future Congresses and thus will bear on the fate of the right-wing coalition. 1960 is a census year, and shifting population tides will force a major realignment of House seats. In those states affected, legislatures will be required to reallocate their larger or smaller congressional delegations prior to 1962 and governors, as a very minimum, will hold veto power over reapportionment measures.

In the 1960 elections, the best hope to unseat coalition members will lie in those "marginal" districts where the incumbent won by less than 55 percent of the vote in the last election, and in so-called "switch" districts where control shifts back and forth between the parties. But if conservatives are vulnerable in marginal and switch districts so are some liberals. Thus it will be equally important to fight off conservative raids on these liberal-held districts.

In the 1958 elections, the growing trend toward liberalism in America was clearly in evidence in these critical districts, as 42 seats previously held by conservatives were captured by liberals, while only one liberal seat fell to the conservative forces.

As liberals square off this year against the well-financed, well-organized conservative forces, attention will center, in particular, on the Great Plains States—scene of a liberal upset earlier this year.

In North Dakota, where a special election was held to fill the Senate seat left vacant by the death of Senator William Langer, the maverick Republican, a liberal Democrat—Representative Quentin Burdick—swept to victory in a state where Democrats seldom poll more than a third of the vote.

Should Burdick's victory prove to be, as political observers suspect, the signal of a farm state revolt against the conservative policies of the Administration, then there is an opportunity to send three of the Senate's most reactionary Republicans—Karl Mundt of South Dakota, Carl Curtis of Nebraska and Andrew Schoepfel of Kansas—back to private life. In addition, a farm revolt could help put a liberal into the seat being left vacant by another conservative, Thomas E. Martin of Iowa, who is not seeking re-election.

The chances for unseating Curtis were left in doubt when his liberal opponent—COPE-backed Governor Ralph Brooks (D)—died of a heart ailment Sept. 9. Opposing Mundt will be Democratic Representative George McGovern, while Schoepfel will face Demo-

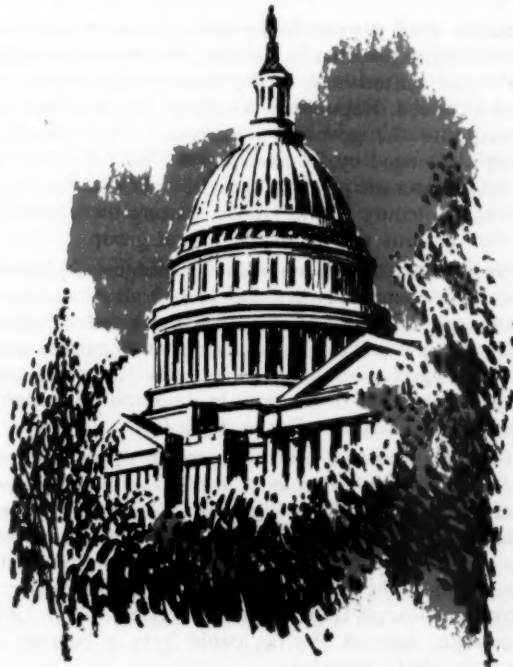
cratic National Committeeman Frank Theis, another COPE-supported liberal. In Iowa, Democratic Governor Herschel Loveless and GOP Senator Jack Miller will contest for Martin's seat.

The gubernatorial contests in the farm states will be highlighted by the re-election campaign of COPE-endorsed Democratic Governor George Docking of Kansas, who is being opposed by GOP Attorney General John Anderson.

In the Mountain States, the seats of two conservatives—Senators Gordon Allott of Colorado and Henry Dworshak of Idaho—will be at stake. But the principle contest will be the campaign by Democratic Representative Lee Metcalf of Montana—one of the leaders of House liberals—for the Senate seat now held by another distinguished liberal, Senator James E. Murray, who is retiring.

Metcalf will be running against Republican Orvin Fjare, a conservative former representative, for the Senate seat which Murray won by a margin of only 50.4 percent six years ago. Allott, who won by but 51.3 percent in 1954, will face Lieutenant Governor Robert Knous, a strong, liberal Democrat.

Only in Montana will there be a gubernatorial contest which could bear on the Senate race. COPE-backed Democrat Paul Cannon, liberal lieutenant-governor and formerly a state senator, will fight it out with conservative Republican Donald G. Nutter for the chief executive spot being left vacant by the retirement of GOP Governor Hugo Aronson.



Political interest in the Far West centers on the major battle for Oregon's Senate seat, with a determined drive under way to put it back into the liberal column where it was prior to the death of Democratic Senator Richard L. Neuberger.

For the past several months, the seat has been filled by conservative Democrat Hall S. Lusk, appointed by GOP Governor Mark Hatfield in conformity to a state law compelling him to name an interim senator of the same party.

Maurine Neuberger, the senator's widow, who established a liberal record in her own right during her service in the Oregon Legislature, will contest for the seat against former Governor Elmo Smith. Smith, who campaigned on an anti-labor platform in 1956 and was an outstanding "right-to-work" supporter, is now going to the voters claiming liberal leanings.

In chronically depressed New England, hard hit by the Administration's tight-money policies and by President Eisenhower's two vetoes of area redevelopment legislation, four Senate seats and five governor's mansions are at stake.

Senator Margaret Chase Smith (R-Me.) faces strong opposition from Lucia Cormier, minority leader of the State House of Representatives. Mrs. Smith was returned to the Senate with a comfortable 58.6 percent of the vote in 1954. But there has been a marked change in the past six years.

Since Mrs. Smith's re-election, liberal Democrat Edmund S. Muskie was twice elected governor and then, two years ago, became the first member of his party to be sent to the U. S. Senate in modern times. In the same election, Clinton Clauson, another liberal Democrat, was elected to the governorship.

Clauson died a year later and, because Maine had no lieutenant-governor to succeed him, the chief executive's post shifted back to the conservative column as John H. Reed, Republican leader in the State Senate, moved into the governor's mansion. Now Reed is being challenged by Representative Frank Coffin, one of the Democratic party's young liberals who has been, during his tenure in the House, among the architects of the vigorous revival of the liberal group.

New Hampshire's Senator Styles Bridges and Massachusetts' Senator Leverett Saltonstall also face sharp challenges this November. Of the two seats, Saltonstall's holds out the better hope for the liberals, since six years ago he barely squeaked back into office with only 50.5 percent of the vote in a contest with liberal Democratic Governor Foster Furcolo.

Furcolo, who had been expected to oppose Saltonstall in the senatorial contest, was upset in the Democratic primary by Mayor Thomas O'Connor of Springfield. O'Connor, 35 years old and a two-term mayor, has had enthusiastic labor backing in his two mayoralty campaigns. The gubernatorial contest, between liberal Democrat Joseph D. Ward and the conservative GOP candidate, John A. Volpe, could have a bearing on the senatorial campaign.

In New Hampshire's gubernatorial campaign, incumbent Governor Wesley Powell barely won renomination in the GOP primary. He will be opposed by former Democratic National Committeeman Bernard L. Boutin.

Rhode Island Democrats, determined to keep the seat of retiring Senator Theodore Francis Green in the liberal column, nominated 41-year-old Claiborne Pell who defeated two former governors—Dennis J. Roberts and J. Howard McGrath—by a wide margin. Pell will be opposed by Republican Raoul Archambault, Jr., a conservative who has served in President Eisenhower's Budget Bureau. In the gubernatorial race, GOP Governor Christopher Del Sesto, who barely squeaked in two years ago, will face Democratic Lieutenant Governor John A. Notte, Jr.

In the Middle Atlantic area attention will focus on re-election bids by Senator Clifford R. Case (R) in New Jersey and Senator J. Allen Frear (D) of Delaware, but while the races will be interesting the outcomes will have little influence on the liberal vs. conservative lineup.

In New Jersey, Case—the only Republican with courage enough to buck Vice President Nixon by voting for the liberal-backed health care bill this session—will be opposed by Thorn Lord, liberal member of the N. Y. Port Authority and a former U.S. attorney. Both Case and Lord can expect, on the basis of past experience, to have the support of some individual unions. Frear, in his re-election campaign, will have opposition from GOP Governor J. Caleb Boggs in the Delaware contest.

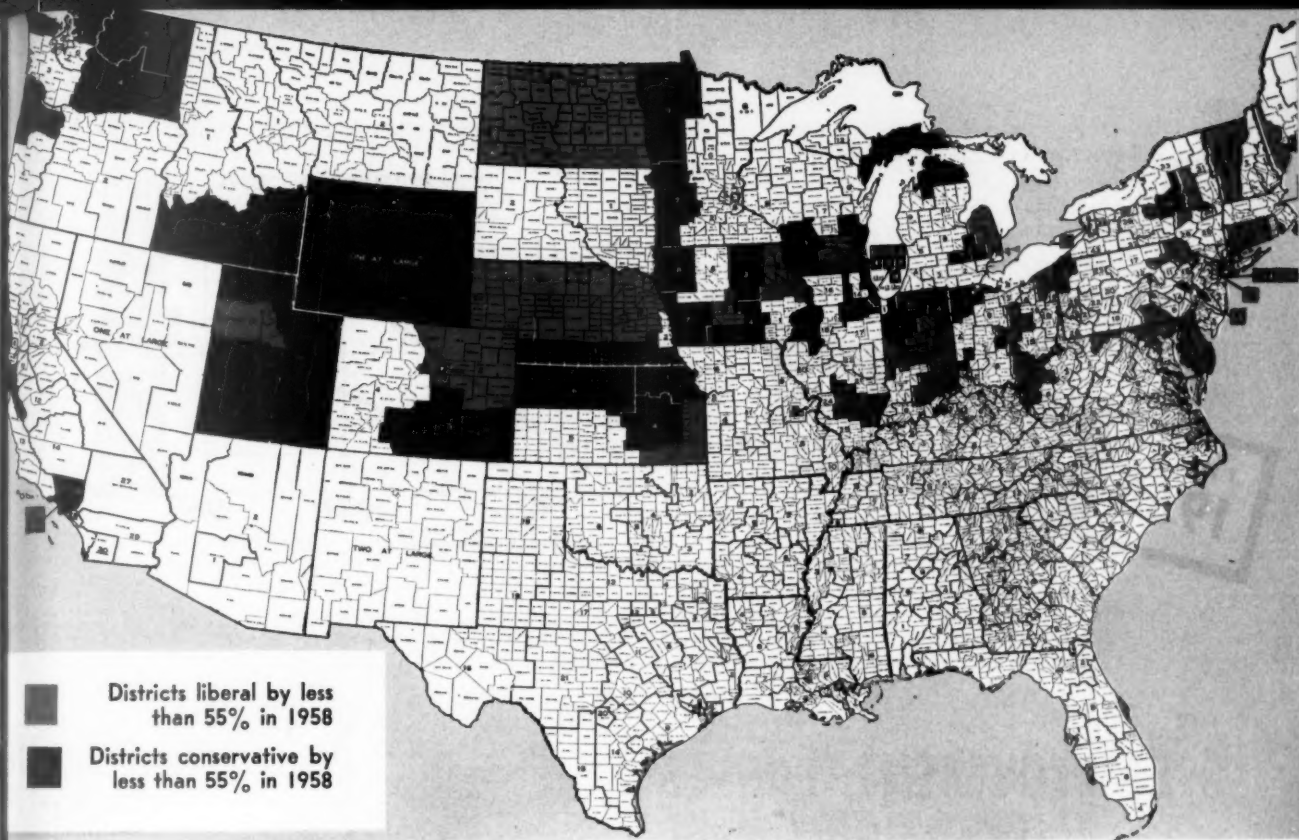
The Eisenhower veto of depressed area legislation is expected to play a key role in West Virginia's senatorial race, where liberal Senator Jennings Randolph is seeking re-election. Opposing him will be Republican Governor Cecil Underwood.

The elections in the midwestern states will find three of the liberal force's strongest Senators—Hubert H. Humphrey (Minn.), Pat McNamara (Mich.) and Paul Douglas (Ill.)—standing for re-election, with no seats from the conservative coalition up for grabs. Massive opposition is already being mounted against this liberal trio.

An unexpected Senate race opened up in Missouri following the death of liberal Democrat Thomas C. Hennings. To compete in November for the remaining two years of Hennings' term, Democratic state party leaders chose Lieutenant-Governor Edward V. Long. The Republicans picked Lon Hocker, unsuccessful GOP candidate for governor in 1956.

Elsewhere in the Midwest, seven governorships will be at stake, with liberals driving to take over four governors' mansions now held by right-wingers and retaining control in the other three states.

In particular, interest will center on the race in "right-to-work" Indiana for the office of outgoing GOP Governor Harold Handley, who allowed his state's compulsory open-shop bill to become law. Two



years ago, in a protest vote against "right-to-work" proponents, the voters sent eight liberals to the House from this predominantly conservative state and rebuffed Handley in his attempt to win a Senate seat. Tilting for the governorship this year will be Democrat Matthew Welsh, a liberal state senator, and Handley's conservative lieutenant governor, Crawford Parker, another outspoken advocate of "R-T-W."

In Illinois, GOP Governor William Stratton, who barely made it with 50.4 percent of the vote in 1956, will be opposed by Otto Kerner for the governorship. A sharp split in Republican ranks during the recent primary and a major Chicago police scandal are expected to be influencing factors in the race.

In liberal-oriented Michigan, where six-term Governor G. Mennen Williams has decided not to seek re-election, the contest will be between liberal Democratic Lieutenant Governor John B. Swainson and Republican Paul Bagwell.

Minnesota's gubernatorial fight will center on the re-election bid by liberal Governor Orville Freeman, while in Wisconsin, the liberal Democrat, Gaylord Nelson, will also be seeking re-election.

This year labor will face a political climate unique in recent years—for the recently expanded drive of businessmen to influence the outcome of elections has passed the experimental stage.

This well-developed conservative campaign—sponsored, manned and financed by the National Association of Manufacturers, the U.S. Chamber of Commerce

and a growing number of individual corporations—has been stepped up in recent years. Although management has long been in politics, it has only recently come out into the open.

In the past two years, conservative forces have acquired a deal of sophistication. In 1958, for example, conservatives suffered their most crushing defeat when the presence of compulsory open shop referenda on the California and Ohio ballots backfired, drawing an unprecedented liberal-labor turnout at the polls. In the process this huge liberal vote swept out of office virtually all of the leading conservatives in those two states.

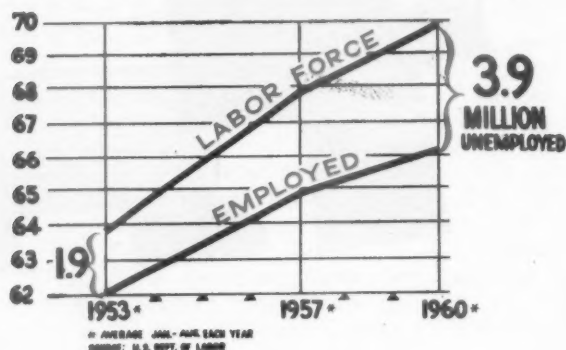
So complete was the rout for "right-to-work" conservatives in those two states that although they still believe in restrictive labor legislation, they have grudgingly conceded that compulsory open shop propositions on the ballot have become a political liability for right-wing politicians.

The success of the conservative coalition in the 86th Congress, with passage of the punitive Landrum-Griffin Act in 1959 and this year's blockading of health care, minimum wage, aid-to-education, situs picketing and housing legislation, has created the key issues in the fight for control of the 87th Congress.

These are the issues which must be carried to the public if the liberals are to capture the seven Senate and 30 House seats that will help free the new Congress from the throttling control of the coalition.

THE 1960 ELECTIONS

LABOR FORCE EMPLOYMENT & UNEMPLOYMENT



EMPLOYMENT LOSSES 1953-1960*

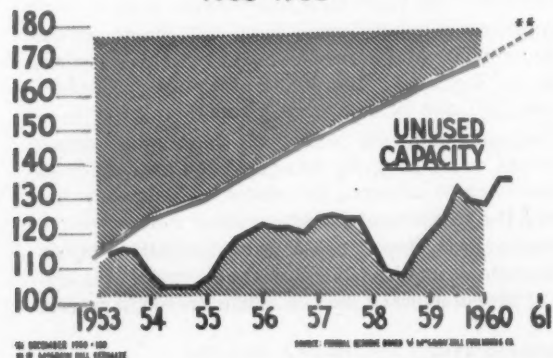
MANUFACTURING**	1,600,000
RAILROADS.....	400,000
MINING.....	200,000

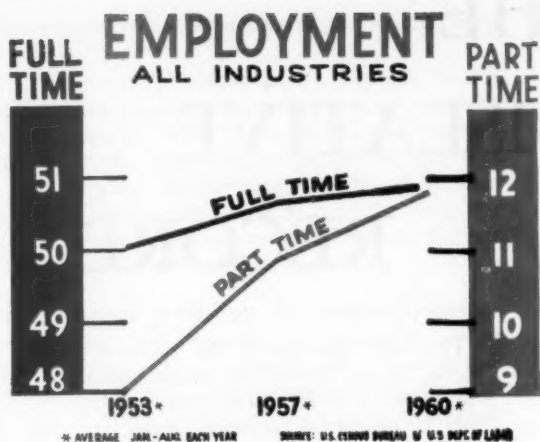
* AVERAGE JAN.-APR. EACH YEAR
SOURCE: U.S. BUREAU OF THE CENSUS * U.S. DEPT. OF LABOR

** IN PRODUCTION & MAINTENANCE JOBS



MANUFACTURING CAPACITY & PRODUCTION 1953-1960*

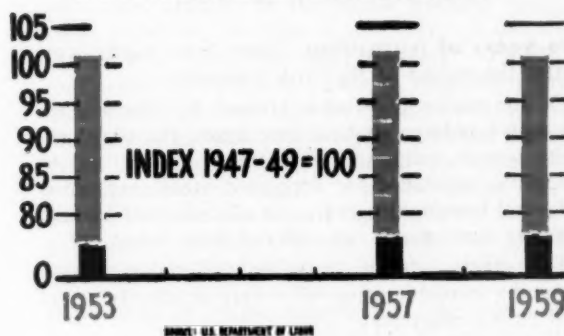




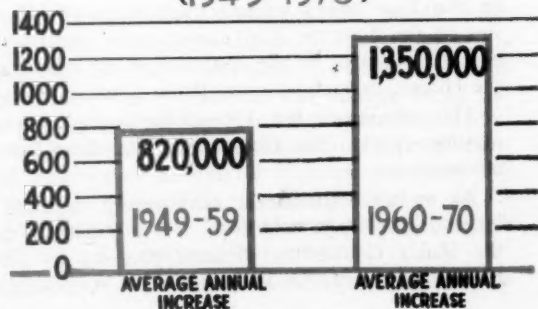
ECONOMIC GROWTH



TOTAL MANHOURS IN PRIVATE ECONOMY



LABOR FORCE - ANNUAL CHANGES (1949-1970)



THE
1960 ELECTIONS



THE LEGISLATIVE RECORD

by Andrew J. Biemiller

Two years of frustration. These four words summarize the record of the 86th Congress.

Of the major legislation pressed by liberals, six measures—old-age medical care under the social security system, minimum wage improvements, aid to education, assistance for depressed areas, expansion of federal housing programs and relaxation of job-site picketing restrictions—all suffered total defeat.

Two others—strong, workable civil rights guarantees and a second housing bill—were drastically weakened before enactment.

And in addition, the labor movement and the rights of all workers suffered a crippling blow with the adoption of the Landrum-Griffin Act.

How did this happen?

Following the sweeping Democratic victories in the 1958 elections, hopes were high for a comparable increase in the liberalism of Congress. These hopes were unrealistic, despite a Democratic majority in the new House of 283 to 152.

Three factors conspired to shatter the liberals' hopes and defeat their program.

First was the large bloc of conservative southern Democrats within the party's paper majority. There was a time when many southern Democrats voted solidly with the liberals on economic issues, if not on civil rights. But since the Supreme Court school desegregation decision of 1954 the lines have hardened.

ANDREW J. BIEMILLER, director of the AFL-CIO Department of Legislation, is a former liberal member of Congress.

The vast upsurge in the political power of the "states' rights" group has made liberalism a luxury, and possibly a fatal one, for southern politicians. Only 13 of the 99 southern Democrats voted against Landrum-Griffin in the House, for example. On this and other issues most southerners made common cause with the Republicans.

The second factor was a conservative President in the White House. The President—any President—has great political power. Through his control of patronage and public works, he can exert heavy pressure upon members of Congress of both parties. He has easy access to the press, radio and television, and can thus reach millions of citizens quickly and dramatically.

And above all he has the power of veto, which means—as President Eisenhower himself put it—that he needs only "one-third plus one" of the votes in either house to block any bill. Because Congress is well aware of this power, the threat of veto can force modifications in legislation even before it comes to a vote.

The President made full use of his positive powers in bringing about passage of Landrum-Griffin in 1959. Aside from his nationwide broadcast in support of the bill, he moved through the Vice President and the Attorney-General to line up the liberal House Republicans. Only 17 had the courage to withstand this pressure and vote "no."

But even these two factors were not enough to guarantee total defeat for liberal legislation. The coalition of Republicans and southern Democrats could not be sure of a majority on every issue. The floor result was invariably decided by a small group of congressmen whose position in the political spectrum defies adequate description.

In the few cases where there were liberal victories on the floor the third factor came into play—the complete control by the coalition of the machinery of the House, in particular the Rules Committee.

This committee has 12 members—eight from the majority party (the Democrats) and four from the minority.

As on all committees, membership depends to a large degree upon seniority. As a practical matter, the Rules Committee division was six to six—six liberal or moderate Democrats on one side, four

Republicans and two stone-age southern Democrats on the other.

The chairman, Representative Howard Worth Smith, is a Virginia Democrat with 29 years' seniority and a full mastery of the wiles of politics. Smith's skillful use of his powers under the House rules has often, in past years, frustrated a majority of his own committee. This time he had little need for guile, for he had the votes of Representative William Colmer of Mississippi and the four Republicans.

For all practical purposes, the Rules Committee decides what bills will reach the floor of the House for action, and under what terms they will be considered. A measure may be unanimously approved by the Education and Labor Committee, for example; it must still run the gantlet of Rules. If it emerges at all, it may be saddled with unfavorable regulations. As a case in point, the wage-hour bill was pried loose only with the proviso that a feeble substitute bill be offered in its place.

Since seven votes are needed to report a bill, and since only six could be mustered by the liberals, it is a wonder that any good legislation reached the floor. There are ways to circumvent the Rules Committee, but they are so complex and unwieldy that they cannot be generally invoked.

The difficulties of the Senate rules, primarily the freedom to filibuster, are more widely known. While they, too, badly need change, it must be acknowledged that on balance they were the lesser evil.

Here, then, is the legislative obituary record for the 86th Congress:

Medical care for social security beneficiaries: Smothered by the coalition in the House Ways and Means Committee and slain by the same forces on the floor of the Senate.

This was the Forand bill, which in the Senate became the Anderson-Kennedy amendment. It would have added hospitalization, nursing home care, home nursing and diagnostic services to the social security system. Congress chose instead to provide such benefits for persons not eligible for social security—worthy enough in itself, but shockingly neglectful of the bulk of the nation's aged.

Extension of wage-hour coverage and establishment of a \$1.25 federal minimum: Gutted and ultimately done to death by the coalition forces in the House.

The Kennedy-Morse-Roosevelt bill would have brought millions of additional workers under the protection of the law and would have raised the wage floor to \$1.25 an hour. The bill did emerge from the Rules Committee, but Smith and the House Republican leader, Charles Halleck, succeeded in their preconceived plan to ram through the coalition substitute, the Kitchen-Ayres bill. This would have set a \$1.15 minimum for presently-covered workers and only \$1 for the mere 1.5 million newly covered.

In the Senate, with John F. Kennedy serving as floor

manager, a satisfactory bill was passed. But House members of the subsequent conference committee were mostly Dixiecrats and Republicans; they spurned all compromises, insisting on the House bill or nothing. All things considered, "nothing" was a better choice; and nothing it was.

Federal aid to education: Assassinated by the House Rules Committee, virtually single-handed.

After years of effort, both houses passed federal aid to education bills. The Senate's McNamara-Clark-Monroney measure offered \$1.9 billion over two years for classroom construction and higher teachers' salaries. The Thompson bill in the House proposed \$1.3 billion over four years for classrooms alone. A House-passed bill that the Senate has amended can go automatically to conference only by unanimous consent. There was objection, so the decision fell upon the Rules Committee. Even one moderate Democrat defected; the vote was 7-to-5 against permitting a conference. Thus seven men overruled a majority of both houses of Congress.

Aid to depressed areas: Stricken down by the President after heroically escaping the Rules Committee noose.

The Douglas-Cooper-Spence area redevelopment bill passed the Senate early in 1959 and was approved with some changes by the House Banking and Currency Committee in May of that year. It languished in the Rules Committee until mid-1960. Finally the rarely-used and difficult Calendar Wednesday procedure (one of the two ways to bypass the Rules Committee) was invoked. The coalition forced nine procedural roll-calls, consuming nearly six hours, before debate could even begin. Nevertheless the bill was passed, only to be vetoed; the President had many more than "one-third plus one" Senate votes to sustain him.

Expansion of urban renewal and other public housing programs: Maimed by presidential vetoes in 1959; dispatched by the Rules Committee in 1960.

In 1959 both houses passed the Sparkman-Rains bill to meet the problems of urban decay through expanded urban renewal and public housing projects, to stimulate the lagging private housing industry, to relieve the shortage of college housing and generally to attack the nation's housing deficiencies. The President vetoed it. A second, greatly moderated bill, was passed; this, too, was vetoed. Finally a still weaker bill, the limit of what the President would accept, became law. This year the liberals renewed their efforts. The Senate passed an acceptable measure; the Rules Committee refused to release the House version.

Relaxation of job-site picketing restrictions: Talked to death in the Senate Labor Committee; throttled by the House Rules Committee.

The Kennedy-Thompson bill to restore to building trades unions the right to picket multi-employer construction sites was supported by the President as well

as by the AFL-CIO and congressional liberals. It was favorably reported by the House Labor Committee, but perished in the Rules Committee. An unusual kind of filibuster—within a committee rather than on the floor—was conducted by the Senate Republican leader, Everett McKinley Dirksen, and by Senator Barry Goldwater (R-Ariz.) to prevent action by the Senate Labor Committee.

Civil rights: Badly maimed by the coalition in the House; crippled by filibuster in the Senate.

Republican-Dixiecrat domination of the House Judiciary Committee squeezed much of the strength from the effort to establish broad federal protection for civil rights. The bill it ultimately produced was released by the Rules Committee with the proviso that no strengthening amendments could be offered from the floor. In the Senate, an eight-week southern filibuster forced limitation of the program to little more than

increased protection of the right to vote.

This is what happened and how it happened. It is a sorry record. It is a record that poses a challenge to the 87th Congress, and to the American people.

Whether the record of the next two years is a better one depends upon three events:

- Election of John F. Kennedy as President. Even in the 86th Congress as it was, the above measures would have become law with presidential support instead of presidential opposition.

- Election of more liberals, both Democrats and Republicans, to Congress, so as to weaken the power of the reactionary coalition.

- Changes in the rules of both houses so that a few obstinate diehards—as few as six—cannot block the will of the congressional majority.

Will these events take place? The decision will be made on November 8.



THE REGULATORY AGENCIES

by Alexander Uhl

Only recently the American people were shocked to discover that disc jockeys were being paid hard cash to plug certain songs under the guise that they were more popular than other songs.

The discovery brought a new word into the language: "payola"—a charming combination of semantics and cynicism reminiscent of the old-fashioned ex-

pression "honest graft."

But "payola" is not restricted to disc jockeys and crooked quiz masters who found a new way to put money into their pockets. In a wider sense the word could be applied to all sorts of payoffs made to government officials as rewards for influencing decisions.

Discovery of "payola" in the disc jockey business

and its counterpart in other areas of public life was bad enough. More serious was the discovery that the very governmental regulatory agency that was supposed to be keeping a sharp eye on the radio and television stations where "payola" had become all but "standard operating procedure" had done nothing to stop it—indeed, had felt that it was not its business to stop it.

This combination of individual corruption and official indifference, however, has served to dramatize the serious deterioration that has been taking place in governmental regulatory agencies in recent years and particularly during the eight years of the Eisenhower Administration.

Time after time during this eight-year period the people have discovered that the "watchmen" hadn't been doing the job they were supposed to be doing. The whole system of regulation of great areas of our economy has been breaking down.

Vicuna coats, yachting parties, weekends at swank vacation resorts, paid hotel bills, oriental rugs and other expensive gifts—these have all played their role in determining the decisions of some of the chief regulatory agencies.

Even more importantly, perhaps, a deep-seated reluctance to use government regulatory power in a "business administration" and disbelief in the very job to which they have been appointed have combined to prevent a disturbingly large number of "commissioners" from carrying out vigorously the mandate that Congress gave them.

The importance of the problem cannot be minimized. A glance at the U.S. Government's Organization Manual will reveal no less than 188 pages devoted to what are called the "independent agencies."

They constitute in effect the "fourth branch" of the government, holding vast powers that combine within themselves the functions of the administrative, legislative and judicial branches and in many ways influencing Americans' daily lives as much as powerful Presidents, learned judges and dynamic legislative leaders.

They constitute repositories into which we have dumped the conflicts between individual and public interests that cannot be resolved by ordinary methods, the conflicts that arise between a democratic government and powerful special interest groups.

There are seven main commissions:

The Interstate Commerce Commission, Federal Communications Commission, Federal Trade Commission, National Labor Relations Board, Securities & Exchange Commission, Civil Aeronautics Board and Federal Power Commission. Their very names give an indication of the crucial areas of national life that they cover.

They are staffed frequently by leading public figures; they employ thousands of workers; they spend

millions of dollars; they perform jobs that somehow or other fail to fit neatly into our three branches of government; and they have become a major branch of government in themselves.

The seven chief commissions or boards are run by 43 men—43 men who regulate, or fail to regulate, vast segments of American life.

The story of regulatory agencies goes back to the days immediately after the end of the Civil War when the United States entered a period of vast expansion and growth of corporate power. It centered largely in the railroads, which had finally tied the American continent together and which had become masters of the economic lives of millions of Americans. All sorts of skullduggery were common. Secret rebates, favoritism, free passes to politicians and friends, outrageous rates, freight wars—all combined to bring all but open revolt, especially among farmers of the Middle West.

To make matters worse, the railroads themselves had become the victims of financial pirates and speculators who bought into them, robbed them blind and drove smaller roads out of business. First the states sought to regulate these economic monsters—to temper the anarchy of a free enterprise run riot. When that failed, the federal government eventually stepped in and set up the first of our modern regulatory agencies, the Interstate Commerce Commission, which today still "regulates" rail and water transportation.

The growth of the regulatory agencies has largely followed the pattern of American economic development. The 19th Century produced the ICC in 1887. But it was not until 1915 that the Federal Trade Commission was set up to control steadily expanding monopolies and to protect the public against unfair trade practices. Five years later the Federal Power Commission was established to regulate the vastly powerful public utility corporations.

No major regulatory agencies were established during the Republican 1920s, but the New Deal of President Roosevelt produced several vitally important ones. These included the Securities & Exchange Commission in 1934 to ride herd on Wall Street after the terrible speculative crash of 1929; the Federal Communications Commission created in that same year to regulate the rapidly expanding radio industry; the National Labor Relations Board in 1935 as part of the New Deal's effort to solve frequently bitter labor-management relations, and in 1940 the Civil Aeronautics Board to promote and regulate air transportation.

As can be seen from this chronology, the creation of the regulatory agencies responded to the growing problems of a dynamic, ever-changing economy. Their functions varied: promotion of a new industry, supervision over public licenses such as the FCC; rules for the conduct of business such as the FTC and the SEC. But, invariably, their basic goal is to protect the public interest against powerful private interests in one way or another.

Almost from the first it was obvious that regulatory agencies in a free-enterprise, democratic system

ALEXANDER UHL as co-editor of Press Associates, Inc., has closely followed the work of regulatory agencies.

of government would face serious handicaps and problems. Early congressional debate revealed a knowledge of all the weaknesses that could be expected to crop up.

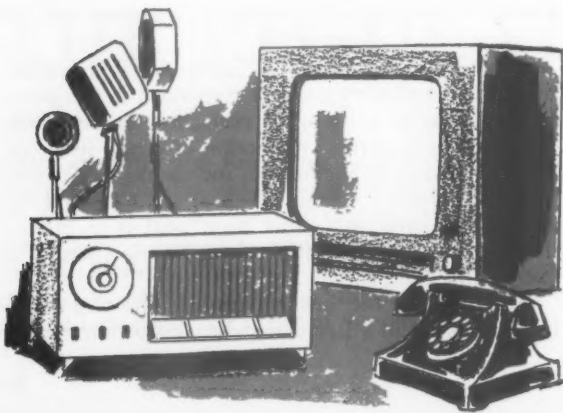
The ICC largely became "independent" because Congress did not want to place it directly under the control of President Benjamin Harrison. He had been a prominent railroad lawyer in civil life and the thought of putting a railroad lawyer—even an ex-one—in charge of policing the railroads was too much for Congress to swallow. So the "independent" commission came into being after having been placed originally under the Department of the Interior.

There were other recognizable problems even in 1887. These included the unwillingness of commission members to antagonize business interests by strict enforcement of the law; pressure on the part of friends and former business colleagues; favors in the form of entertainment and personal gifts that would put commissioners under a sense of obligation, or even outright corruption.

Today, more than three-quarters of a century later, these problems are still present. During the Eisenhower Administration there have been a notable number of examples of the breakdown of the commission system as it now exists.

Leading case, of course, has been that of Sherman Adams, presidential assistant who sat in the White House and used the White House telephone to intervene in behalf of his close friend, Bernard Goldfine, of Boston, in trouble with the Federal Trade Commission and the Securities & Exchange Commission. The payment of \$3,000 in hotel bills, the gift of an expensive vicuna coat and the loan of a \$2,400 oriental rug all figured in the investigations that followed. In the end, still protesting his innocence of wrong-doing, Adams quit his job in the White House.

At the very least he was an example of the immense impropriety of a government official doing what the businessman thinks nothing of doing in his business capacity—helping his friends, by "pull" or otherwise, when they're in trouble. In a sense Goldfine showed that he knew more about the regulatory agencies than all the political philosophers put together. He had long made it a practice to cultivate the influential, to shower gifts upon them, to use their resulting "friendship" when he needed it.



Chairman John C. Doerfer of the FCC is an example of the obtuse commissioner who can accept all sorts of favors from those he is supposed to regulate and then blandly insist that such favors do not have the slightest effect on his official acts. Doerfer thought nothing of taking leisurely trips on the yacht of George B. Storer, TV station owner who is subject to FCC regulation and had a case before the commission at the very time that he was so disinterestedly entertaining its chairman. Doerfer, too, ended up in a hasty resignation.

There have been numerous other examples of this type of gift-giving, lavish entertaining, and the use of pressure from friends in government or of the relations between the regulators and those they are supposed to regulate. But in a sense this is simply a reflection of vulgar corruption, semi-corruption, influence peddling or an exceedingly thick skin as to the propriety of accepting favors from those the commissioners are charged with keeping in order.

It would be possible to take the newspaper headlines of the past eight years and draw up a further list of this shoddy type of influence peddling. But beyond such corruption—serious as it is, and threatening as it is to the whole process of regulation—there is a far graver problem in the regulatory field, the problem that is inevitable in an Administration opposed philosophically to the principle of government regulation, that in a real sense trusts business and businessmen more than it trusts government itself.

One of the great American myths is that business owes nothing to government, that the "less" government there is and the freer businessmen are to do what they like in their own interest, the better the nation and the public interest will be served. Over and over again the people are assured that the accumulated judgments of thousands of businessmen in their own individual interests work in some mysterious fashion for the public interest so that the "interference" of a hostile, outside, arrogant, "foreign" institution—the federal government—becomes anathema.

The fact that the anarchy and corruption of the railroads had become intolerable and served to trigger the whole regulatory system is conveniently forgotten. The fact that the same is true in other areas of our economy is equally ignored.

This underlying rejection of the entire principle of government regulation is problem enough under ordinary administrations, whether Democratic or Republican. It becomes peculiarly acute under one such as the Eisenhower Administration which is openly, even boastfully, on the side of business and big business at that. The perfect expression of its viewpoint was the early statement of Secretary of Defense Charles E. Wilson before a Senate committee that:

"What's good for General Motors is good for the country."

The entire history of the regulatory agencies under the Eisenhower Administration has been a sweeping refutation of that claim. All the defects of the regu-

latory system have been accentuated to the point where serious students of the problem are questioning the independent agency system and exploring other methods of protecting the public interest against private predators in a free enterprise society, of keeping private gain compatible with public interest.

The history of the past eight years has shown the difficulty of staffing regulatory agencies with businessmen who not only are opposed at heart to cracking down on their erstwhile friends but who in some cases have been completely hostile to the principle of regulation itself.

Completely destructive to the regulatory agency system has been the unwillingness of some commissioners under the Eisenhower Administration to do the job that they were appointed to do.

George C. McConaughy took over as chairman of the FCC in 1954 with the remark that he was "pretty much on record as believing in as few controls of business as possible."

Robert E. Lee entered the same commission with an even more direct statement, declaring: "I don't believe in government regulation."

Federal Power Commissioner Jerome K. Kuykendall believes in the "fair-field" method of determining the price of natural gas, which is basically a system of letting nature take its course with "regulation" of rates virtually out of the picture.

A striking example of how a commissioner who actively sought to protect the public under the Eisenhower Administration was treated is that of William R. Connole, who had the misfortune to become identified with the public interest during his term of office. He failed of reappointment to the FPC with President Eisenhower advancing the cruel excuse that Connole had identified himself too much with one side and that he had found someone better for the job.

Again we have an astonishing example of "timidity" in dealing with business on the part of the FCC in regulating the television and radio industries. This timidity produced the famous "payola" headlines, the "fixed" quiz show headlines, the false advertising headlines.

The Communications Act of 1934 set up a system by which private owners could use the air waves under government license but only if they did so in the public interest. What the "public interest" means, of course, depends largely upon what the commission makes it mean. Under Eisenhower appointees to the FCC it apparently had no meaning at all. The FCC largely took the position that it had no power to interfere with what went on once it had granted a license and what went on, as a result, produced scandal after scandal.

The impact of business thinking on a regulatory agency has been particularly noticeable in the NLRB. As Eisenhower appointees gradually replaced Democratic appointees, the pattern of decisions changed significantly. The board reversed long-standing rulings to give management greater power, especially in



fighting off organization, and to weaken union strength on many levels. It struck out into new interpretation of the Taft-Hartley Act, bringing bitter criticism from labor organizations which have openly charged it with a pro-management and anti-labor viewpoint.

The Eisenhower-appointed board, for example, has greatly enlarged the power of management to keep out unions through a vastly extended doctrine of employer "free speech." It has revived use of the injunction to restrain picketing and has greatly narrowed picketing rights under many sets of circumstances. It has narrowed secondary boycott protections and has limited protection against discriminatory discharge. In numerous cases it has passed off management derelictions lightly compared with a harsher judgment of labor derelictions.

One of its most criticized actions was an effort to limit its jurisdiction by applying stricter standards in determining the kind of case it would accept. This had the result of throwing many disputes that should have come under federal law back into the states, many of which have harsh anti-labor legislation on their books and in some cases have no adequate legislation at all.

Most famous of these was that of the Hotel Workers, who sought to organize the hotels of Miami and Miami Beach, Fla. The NLRB refused jurisdiction so that for several years the union found itself in a "no-man's land" where it had neither federal nor state protection for its organizational activities. Eventually the Supreme Court itself ordered the NLRB to take jurisdiction and the board has since liberalized its standards.

From the viewpoint of organized labor, which has not hesitated to say so, the Eisenhower-appointed NLRB is an example of a regulatory agency that has shown extreme favoritism to one of the groups it is supposed to regulate—management—while at the same time has shown bias against labor.

There have been examples of real conflicts of interest where commission members are supposed to regulate an industry in which they have a personal stake. Congress has forced Cabinet officials—although there has been no great consistency—to sell their holdings in businesses that come under their spheres of influence. This has not been similarly true of appointees to commissions, where Senate scrutiny is far less searching.

In addition, commissions have a way of finding themselves "loaded" with members appointed by defunct administrations. It will be quite a while before more public-interest appointees will sit on regulatory agencies even if the Democrats win in November.

What can be done to recast our regulatory system so as to reconcile free enterprise with the public interest in areas that cannot be left entirely free?

There have been numerous proposals over the years to correct the shortcomings of the regulatory agencies.

The Hoover Commission in 1949 came up with a number of recommendations that included the placing of administrative responsibility in the hands of a commission chairman, giving commissioners job security by making them removable only for cause; substantial increases in salaries both for commissioners and staff members; bi-partisan representation and other improvements. Congress has adopted some of these proposals but they fall far short of solving problems raised by conflicts of interest, influence peddling, corruption and lack of sympathy for the regulating process.

Recently Supreme Court Justice Tom Clark urged the President to set up a top level permanent committee to police the work of the regulatory agencies. Clark rejected proposals that the agencies be abolished and that their work be turned over to administrative courts with prosecuting powers lodged in the Justice Department. He thought that reform could be accomplished through administrative procedures.

The 1960 Democratic platform calls attention to "the acceptance by Republican appointees to these agencies of gifts, hospitality, and bribes from interests under their jurisdiction" and promised:

"We shall bring all contacts with commissioners into the open, and will protect them from any form of improper pressure.

"We shall appoint to these agencies men of ability and independent judgment who understand that their function is to regulate these industries in the public interest.

"We promise a thorough review of existing agency practices with an eye toward speedier decisions, and a clearer definition of what constitutes the public interest."

A special committee of the New York bar has proposed tightening "conflict of interest" laws which apply to government officials. Its recommendations call for consolidation into a single unified act of the present scattered and uncoordinated statutes relating

to conflict of interest, their extension to "essentially all matters in which the public deals with the modern federal government," differentiation in treatment where proper between regular employees and temporary workers and more effective penalties to persons outside government who seek to influence government servants.

Most of these proposals, however, seem to deal with the cruder aspects of the defects in the regulatory agency system—that is improper influences, conflicts of interest and outright corruption. They deal only superficially with the basic problem of whether the commission is the proper approach for resolving conflicts between private and public interests.

One proposal is that the entire system of "independent" agencies be abolished completely and that the problems of regulation be placed in the cabinet departments that most nearly correspond functionally. Thus the duties of the NLRB might be assigned to the Labor Department, the FPC's duties to the Department of the Interior, regulations of the railroads to the Department of Commerce.

A Consumers Department, as advocated by the AFL-CIO, might well take in certain regulatory powers that involve protection of the buyer in such matters as harmful drugs, false advertising and fraudulent weights.

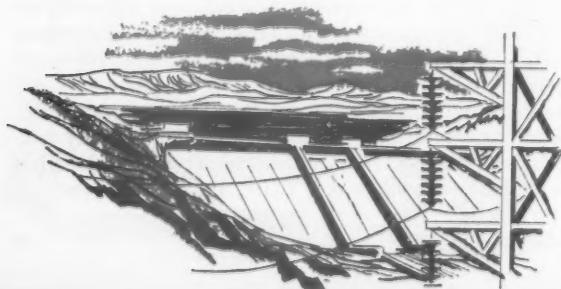
In the long run, no system that may be devised can work unless the men who administer it honestly believe in the job that Congress has given them. Nor can any system work unless the men who run it have the personal integrity that is so desperately needed in public life. There is no substitute for personal honesty and devotion to the public interest. It is unfortunate that too many businessmen seem to lack the same degree of devotion to the public cause that they so frequently give their own industries and enterprises.

The public drive to search out men of integrity and devotion need not end in failure. It has been accomplished many times in the past and can be accomplished again. In a very real sense it depends greatly upon what the American people want—passionately and with determination.

It is noteworthy that very little scandal has been attached to the powerful Civil Service Commission in recent years. This was not always true. There have been periods when the civil service system reeked of favoritism and even corruption. Yet the American civil service today has emerged with a relatively commendable record. The reason is largely that the public wanted it that way.

The same is true of other powerful regulatory agencies. They have to be subjected to the sharp light of public scrutiny. They must be prevented from hiding behind all sorts of "administrative" discretions and decisions whereby wrongdoers can be shielded.

If Congress really wants to clean up the regulatory agencies, turn them truly to the service of the public, it has to be sharper in its confirmation procedures and it has to devise legislation that will force this vital public business out into the open.



THE
1960 ELECTIONS

RIGHT-TO-WORK

THE 'RIGHT-TO-WORK' ISSUE

by Joseph A. Beirne

On a hot August afternoon in the small Indiana farm community of Rensselaer, a capacity crowd of shirt-sleeved Hoosiers jammed an exhibit tent at the Tippecanoe County fair and watched with rapt attention as two barnyard hens swatted home runs on a miniature baseball diamond and then pushed a button with their beaks that lighted a sign saying "Thank you."

"I'll be dogged," a farmer exclaimed to the throng, "everybody knows you can't train a chicken to act!"

The reaction was typical of thousands of farmers who had gone to the annual agricultural fair from miles around to observe chickens playing baseball.

For a week, Hoosier farmers had packed the exhibit of the Indiana Council for Industrial Peace and watched incredulously as "Casey," a white Leghorn performing hen of television fame, strutted from a cage to home plate, gave a hearty tug to a cord with her beak and smacked a rubber ball into the outfield with a toy bat. After "Casey" scored a home run, the second hen, "Biddy," offered the farmers a card bearing the message, "Souvenir from Biddy, County Fair, 1960," and then pressed a button with her beak lighting a sign which said "Thank you."

As the crowds watched in amazement, young women attendants in trim white shorts and sleeveless blouses handed the farmers and their wives leaflets explaining the injustices of Indiana's so-called "right-to-work" law.

A sign over the booth read: "Learn How So-Called Right-to-Work Cuts Farm Profits."

The printed brochures bore such titles as "Is the So-Called 'Right-to-Work' Law a Threat to Farmers?," "A Working Farmer-Editor Tells Why Right-to-Work Laws Will Hurt Every Farmer Everywhere," "Why

So Many Faiths See Evil in Right-to-Work Laws," and "America Votes 'NO' on So-Called Right-to-Work Laws."

The trained chicken acts and the pretty booth attendants were the "crowd stoppers" of an exhibit sponsored by a representative group of Indiana's business, professional and church leaders who believe the 1957 anti-collective bargaining law is harmful to Indiana's economic and general welfare, and who seek public support for its repeal.

The leaflets urged farmers to vote in the November election for a state administration and legislature that would take positive action to repeal the law.

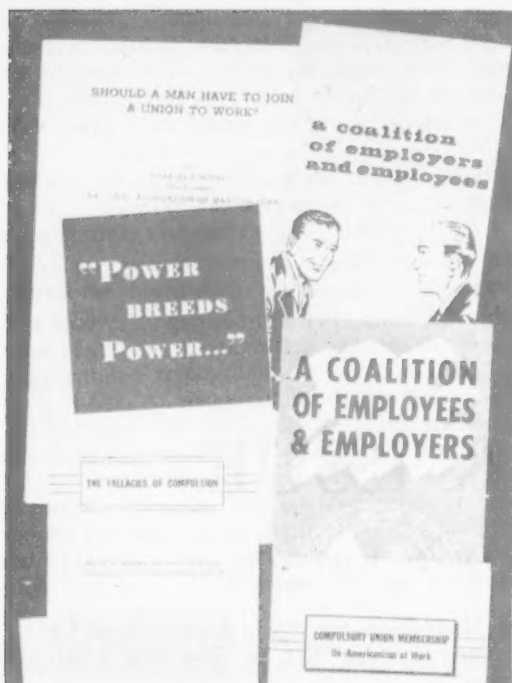
Indiana's Tippecanoe County fair was not an isolated instance in which public revulsion against the discriminatory and fraudulent "right-to-work" law was creating a stir in the late summer of 1960.

At the Kent-Sussex County fair in Harrington, Del., on "Governor's Day," former Governor Elbert N. Carvel, a leading farmer and businessman and this year's Democratic nominee for governor, led a public demonstration against the so-called "right-to-work" law proposal.

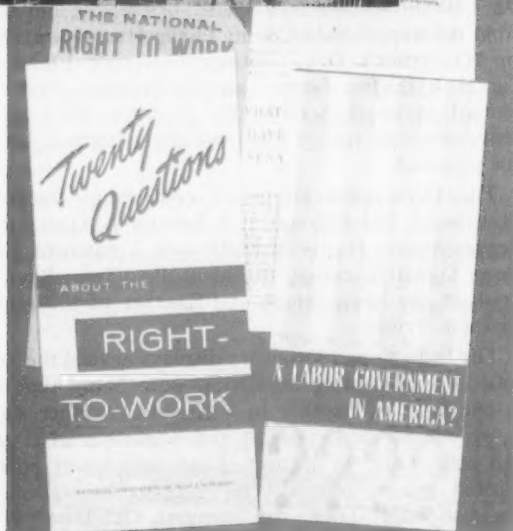
The Democratic nominee's companions included Governor J. Caleb Boggs, U.S. Senator J. Allen Freer, Representative Harris B. McDowell, Lieutenant Governor David Buckson, President Pro Tem Allen J. Cook of the State Senate and Speaker of the House Sherman Tribbitts.

The Indiana and Delaware displays against the anti-collective bargaining legislation were being repeated in one form or another in a half dozen other states across the nation in August and September at county and state fairs. In Kansas, Utah and Iowa, public-spirited groups sought voter support for repeal of "right-to-work" laws. In Vermont, Oklahoma, New Mexico and Idaho the efforts of volunteer citizens'

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"R-T-W" propaganda and, below, the counterattack in action.



organizations were aimed at countering propaganda by the highly-organized, well-financed "right-to-work" movement seeking to pressure state legislatures into passing laws abridging the freedoms of wage earners.

The "right-to-work" law was thrust dramatically into the national political arena as an issue between the two major parties by action of the Democratic and Republican conventions in adopting their national platforms.

The Democratic party made an unequivocal pledge to do away with all state "right-to-work" laws by congressional repeal of Section 14(b) of the Taft-Hartley Act.

This is the section of the Labor-Management Act of 1947—which was sponsored and passed by a Republican-controlled Congress—that has permitted individual states to pass legislation outlawing voluntary union security agreements between management and labor in outright contradiction of long-established federal labor-management policy.

The collective bargaining plank of the Democratic party stated:

"We will repeal the authorization for 'right-to-work' laws, limitations on the right to strike, to picket peacefully and to tell the public the facts of a labor dispute, and other anti-labor features of the Taft-Hartley Act and the 1959 act. This unequivocal pledge for the repeal of the anti-labor and restrictive provisions of those laws will encourage collective bargaining and strengthen and support the free and honest labor movement."

In direct contrast, the Republican platform supported "right-to-work" laws by pledging "diligent administration" of the Taft-Hartley Act, including Section 14(b).

The GOP anti-labor stand was taken despite repeated reminders by the Republican National Committee that the party's defeat in the 1958 elections was due largely to its support of "right-to-work" laws.

The national aspect of "right-to-work" as an issue between the two parties in the 1960 election campaign was underscored by the positions of the two presidential nominees.

In post-convention statements, both pledged support of their party platforms.

Thus, the Democratic nominee, Senator John F. Kennedy, backed his party's pledge to repeal the federal authorization for the so-called "right-to-work" laws, while the Republican nominee, Vice President Richard M. Nixon, supported the Taft-Hartley Act, which through Section 14 (b) invites the states to approve the unjust and discriminating anti-labor legislation.

"Right-to-work" this year continues to be a clear-cut issue between the two parties in a number of states, notably Indiana, Kansas, Oklahoma, New Mexico and Iowa.

Where this obvious omission exists, groups of responsible, public-spirited citizens who are members

of the National Council for Industrial Peace and its state affiliates have taken measures to set the record straight.

Vermont has provided a refreshing change from the viewpoint to which the GOP Old Guard still clings so tenaciously. In 1958 Representative William H. Meyer, the state's Democratic congressman-at-large, was almost the lone Vermont politician who cried out against the "right-to-work" law. But in 1959, after voters of five states rejected the proposal with majorities that ran as high as 1 million votes in California and Ohio, Republican Governor Robert T. Stafford came out against "right-to-work," and the legislature overwhelmingly defeated a "right-to-work" referendum proposal, with all Democratic members of the Assembly and most Republican members voting against it.

In striking contrast to Vermont, the "right-to-work" issue between the Democratic and Republican parties has reached the boiling point in the industrial state of Indiana.

The Democratic party has unreservedly demanded immediate repeal of the 1957 law, while the Republicans, who passed the measure against strenuous opposition, not only oppose its removal from the statute books but seek to pass sterner legislation which in addition would outlaw the "agency shop," another form of union security which an Indiana Superior Court has held to be legal and fair.

The Indiana State Democratic Committee made this pledge in its 1960 platform:

"We are opposed to and recommend the repeal of the Compulsory Open Shop Law, and we pledge that we will oppose all punitive and restrictive labor legislation that interferes with the free and democratic bargaining agreements by and between representatives of the employees and employers."

And Matthew E. Welsh, the Democratic nominee for governor, voiced this promise:

"In my first address to the General Assembly when I am elected governor, I shall ask that the rules be suspended so that the first order of business can be repeal of the 'right-to-work' law. This law is a cancerous growth separating all segments of our society."

Members of Indiana's Democratic delegation in Congress individually have condemned this law and called for its repeal.

An indication of the widespread opposition of responsible citizens to the Indiana law was provided by a group of leading Methodist ministers. The ministerial group, headed by the Rev. Lynn Garth of South Bend, chairman of Christian Social Relations of the 1960 Northwest Indiana Annual Conference of the Methodist Church, denounced the law and urgently demanded its repeal.

"We believe that in the name of freedom the present 'right-to-work' law denies freedom, compelling, as it does, all of industry to observe the open shop, thus negating collective bargaining," the Methodist statement declared.

The churchmen said that identification of the organizations which supported passage of the "right-to-work" law is "significant in evaluating the true purpose of this legislation."

They listed the organizations as "the Indiana State Chamber of Commerce; the Associated Employers of Indiana; the Indiana Manufacturers Association; the Indianapolis Chamber of Commerce; and the Indiana Right-to-Work Committee, a group supported by industry contributions."

"These organizations are acknowledged as self-interest associations," the clergymen pointed out. "Their primary purpose is to work for the interests of the employer. However commendable their other programs for Indiana might be, it is improper to translate this self-interest to a guise of protecting the rights of workers."

The Indiana Council for Industrial Peace represents a broad cross-section of business, professional and church opinion demanding repeal of the law that in many instances has driven industries from Indiana to states where there are no so-called "right-to-work" laws.

Despite this overwhelming public opinion against the anti-collective bargaining laws, and ample evidence that it has been injurious to the public interest, the Indiana Republican leadership has blindly and stubbornly continued to support it.

The Republican nominee for governor, Crawford Parker, has repeatedly declared that if elected he would veto any bill repealing the "right-to-work" law and support an effort to outlaw the agency shop.

The situation in Kansas is in many ways similar to that in Indiana. The Democratic Party and its candidates oppose the "right-to-work" amendment but many Republican candidates, backed by the Kansans for Right to Work, Inc., an offshoot of the so-called "National Right to Work Committee," principal "front" for the National Association of Manufacturers and U. S. Chamber of Commerce, have been the backers and sponsors of this anti-labor legislation.

The "right-to-work" amendment was passed in 1958 despite open opposition by Democratic Governor George Docking and Alf Landon, one-time Republican presidential nominee. Landon stumped the state in 1958 in opposition to the proposal.

John Anderson, Republican candidate for governor, drew the fire of the reactionary Kansans for Right to Work, Inc., last month because he, too, spoke out against the measure.

This well-heeled organization that draws financial support from the reactionary fringe of management launched a bitter attack against Anderson's support of the collective bargaining rights of working people in a newspaper advertising campaign that blanketed Kansas in advance of the state primary. Kansans for Right to Work, Inc., coupled their attack on Anderson with a demand for new anti-labor legislation to put teeth into the "right-to-work" amendment.

Kansas voters, however, gave Anderson a resound-

ing victory, providing new evidence of public revulsion to the anti-collective bargaining law.

Public demand for repeal of the "right-to-work" amendment is now being spearheaded by formation of a Kansas Council for Industrial Peace, whose membership includes many of the state's most responsible leaders of business, professional and church life.

The close link between the National Right-to-Work Committee and Kansans for Right to Work, Inc., has been demonstrated by two actions. The man who led the fight against Kansas working people in 1958 has become executive manager of the Washington committee. Also, in mid-August the present director of Kansans for the Right to Work, Inc., was named managing director of a new pressure group in Oklahoma called Oklahomans for the Right to Work, Inc.

As elsewhere, the Oklahoma "right-to-work" drive is closely identified with the Republican Party and executives of industries and corporations seeking to depress wages and destroy the collective bargaining process.

In New Mexico, the "right-to-work" proposal also is a major issue in this year's election, with the Democrats vigorously opposing the law and the Republicans embracing it.

Democratic Governor John Burroughs and the entire New Mexico delegation in Congress, all Democrats, are against the anti-labor law. Senator Dennis Chavez and Representatives Joseph M. Montoya and Thomas Morris have made public statements opposing it.

But the Republican nominee for governor, Edwin L. Mechem, who co-sponsored an unsuccessful "right-to-work" measure in the legislature, is an avowed proponent of the restrictive proposal. The Republican candidate for lieutenant-governor and the Republican seeking Senator Clinton Anderson's seat in the U. S. Senate also support the anti-labor law.

"Right-to-work" measures have twice been defeated in the legislature, and the proposal was resoundingly rejected by voters in the 1948 election.

Catholic Archbishop Edwin V. Byrne, of Santa Fe, and leaders of other religious faiths in New Mexico have denounced the law as "misleading and fallacious and harmful to the common good."

The rights of labor and management to exercise free collective bargaining are being defended by an active voluntary citizens' organization, the New Mexico Council for Industrial Peace.

In Utah, public opinion has been aroused by use of the "right-to-work" law to weaken some unions and to destroy others. Poorly-paid laundry workers no longer have any protection and must work for any wage they are offered. "Right-to-work" has been used to destroy their union. Membership of the culinary workers union has been reduced from 300 to less than 50, and the present wage scale has been in effect since 1955.

As a result, public opinion is now demanding repeal of the law when the legislature meets next year.

The issue follows the same lines as in most other states. The Democratic state platform pledges repeal of the law. But the Republican platform makes no mention of the law, obviously in the hope voters will forget it as an issue in November.

Likewise in Iowa and North Dakota there are increasing demands for repeal of the law. Here, too, "right-to-work" is an issue on party lines.

Since voters in the 1958 elections rejected "right-to-work" proposals by tremendous majorities, and with it the Republican backers, in Washington, California, Colorado, Ohio and Idaho, the "right-to-work" sponsors have not had the courage to face voter reaction again by placing the issue on the ballot of any state. Instead, backed by millions of dollars, they have pledged support to reactionary candidates for national and state office.

They seek to elect Republican majorities to state legislatures that will, in 1961 when voters no longer can express their views at the polls, pass this anti-labor legislation in some states and block its repeal in others; elect enough Republicans and states-rights to Congress to block affirmative action on the Democratic platform pledge to repeal the federal authorization for these laws; and by keeping "right-to-work" off the ballots this year, prevent it from causing a Democratic victory as it did in 1958.

If anything, the stakes in this year's presidential election are far greater than in 1958.

The outcome may well determine whether millions of working men and women are to continue to enjoy the fair wages, good working conditions and protection afforded by union security agreements under collective bargaining, or whether the forces of reaction that never desist in their destructive designs are to be permitted to nullify the freedom and future advancement of the American worker.

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(S) Saul Miller

Director of Publications

Sworn to and subscribed before me this 16th day of September, 1960.

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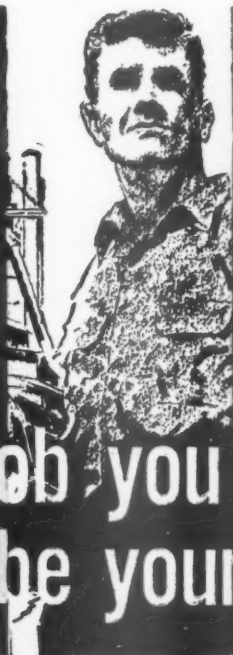
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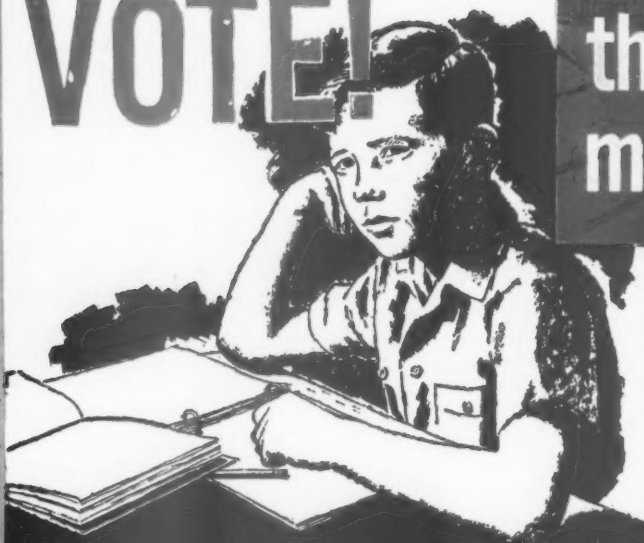


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